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America's Servicing Company
09-71545 / 1256032378

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Irene Michelle Schwartz-Tallard

Debtor(s).

BK-S-07-11730-lbr

Date: _____
Time: _____

Chapter 13


STATEMENT OF ELECTION TO HAVE APPEAL

HEARD BY THE DISTRICT COURT

America's Servicing Company, a subsidiary of Wells Fargo, the creditor, under U.S.C.

§158©(1) and Rule 8001 of the Federal Rules of Bankruptcy Procedure, hereby elects to have its appeal from the order of the bankruptcy judge, the Honorable Linda B. Riegle, granting Motion for Contempt for Violation of the Automatic Stay and violation of F.R.B.P. 9011, entered in this bankruptcy proceeding on the 17th day of February, 2010, heard by the District Court.

1 DATED this 1 day of March, 2010.

2
3 Signed: 

Attorney for Appellant, America's Servicing Company

4 Attorney Name: Gregory Wilde, Esq.

5 Address: 212 South Jones Blvd.

Las Vegas, Nevada 89107

6 Telephone: (702) 258-8200
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

BK-S-07-11730-lbr

Irene Michelle Schwartz-Tallard

Date: _____
Time: _____

Chapter 13

Debtors.

CERTIFICATE OF SERVICE

1. On 3/2/2010 I served the following document(s):

STATEMENT OF ELECTION TO HAVE APPEAL HEARD BY THE DISTRICT COURT

2. I served the above-named document(s) by the following means to the persons as listed below:

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X a. ECF System

Christopher P. Burke, Esq.
atty@cburke.lvcoxmail.com
Attorney for Debtor for this hearing only

Rick A. Yarnall
ecfmail@lasvegas13.com
Trustee

X b. United States mail, postage fully prepaid:

Frank J. Sorrentino
1118 E. Carson Ave.
Las Vegas, NV 89101
Attorney for Debtor

Irene Michelle Schwartz-Tallard
17 Caprington Road
Henderson, NV 89052
Debtors

America's Servicing Company
Brice, Vander Linden & Wernick, P.C.
Attn: Managing Agent
P. O. Box 829009
Dallas, Texas 75382-9009

Ocwen Loan Servicing, LLC
Attn: Bankruptcy Department
Attn: Managing Agent
12650 Ingenuity Drive
Orlando, FL 32826

America's Servicing Co.
Attn: Managing Agent
P.O. Box 60768
Los Angeles, CA 90060

Ocwen
Attn: Managing Agent
P.O. Box 6440
Carol Stream, IL 601976440

1 IRS
2 Attention: Managing Agent
3 110 City Parkway, MS 5028
4 Las Vegas, NV 89106

5 ☐ **c. Personal Service** (List persons and addresses. Attach additional paper if necessary)

6 I personally delivered the document(s) to the persons at these addresses:

7 ☐ 1. For a party represented by an attorney, delivery was made by handing the
8 document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge
9 by leaving the document(s) in a conspicuous place in the office.

10 N/A

11 ☐ 2. For a party, delivery was made by handing the document(s) to the party or
12 by leaving the document(s) at the person's dwelling house or usual place of abode with someone
13 of suitable age and discretion residing there.

14 N/A

15 ☐ **d. By direct mail (as opposed to through the ECF System)**

16 *(List persons and email addresses. Attach additional paper if necessary)*

17 Based upon the written assignment of the parties to accept service by email or a court order. I
18 caused the document(s) to be sent to the persons at the mail addresses listed below. I did not
19 receive, within a reasonable time after the transmission, any electronic message or other
20 indication that the transmission was unsuccessful.

21 ☐ **c. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

22 Based upon the written assignment of the parties to accept service by fax transmission or
23 a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error
24 was reported by the fax machine that I used. A copy of the record of the fax transmission is
25 attached.
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2 ☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*

3 I served the document(s) by placing them in an envelope or package addressed to the
4 persons at the addresses listed below and providing them to a messenger for service.

5 *(A declaration by the messenger must be attached to this Certificate of Service).*

6 **I declare under penalty of perjury that the foregoing is true and correct.**

7 Signed on : 3/2/2010 Declarant: 
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